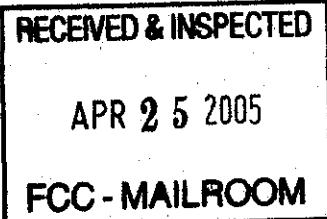


**DODARO, CAMBEST & ASSOCIATES, P.C.**  
**ATTORNEYS AT LAW**

1001 Ardmore Boulevard, Suite 100  
Pittsburgh, Pennsylvania 15221-5233

Tel: (412) 243-1600 Fax: (412) 243-1643  
E-Mail: office@dodarocambest.com



April 21, 2005

**VIA FEDERAL EXPRESS - 8480 8807 6753**

**DOCKET FILE COPY ORIGINAL**

Federal Communications Commission  
ATTN: Secretary  
9300 East Hampton Drive  
Capital Heights, MD 20743

**Re: Borough of Blawnox/Fiber Technologies Networks, LLC  
WC Docket No. 03-37;  
Answer to Motion for Extension of Time**

Dear Sir or Madam:

Enclosed please find the Borough of Blawnox's Answer to Motion for Extension of Time. Please file the same of record on behalf of the Borough of Blawnox.

Thank you in advance for your cooperation in this matter.

Very truly yours,

DODARO, CAMBEST & ASSOCIATES, P.C.

A handwritten signature in cursive script, appearing to read "John F. Cambest".

John F. Cambest

JFC/jg  
Enclosure

cc: Charles B. Stockdale, V.P. & Corporate Counsel (w/o encl.)  
Robert T. Witthauer, Deputy Corporate Counsel (w/o encl.)

No. of Copies rec'd 0  
List ABCDE

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

RECEIVED & INSPECTED  
APR 25 2005  
FCC - MAILROOM

In the Matter of )  
 ) WC Docket No. 03-37  
FIBER TECHNOLOGIES NETWORKS, )  
LLC )  
 )  
Motion to Dismiss Petition for Section )  
253 Preemption )

ANSWER TO MOTION FOR EXTENSION OF TIME

Submitted By:

John F. Cambest, Esquire  
Dodaro Cambest & Associates, P.C.  
1001 Ardmore Boulevard, Suite 100  
Pittsburgh, PA 15221-5233  
Phone No.(412) 243-1600

Borough of Blawnox  
1001 Ardmore Boulevard, Suite 100  
Pittsburgh, PA 15221-5233

Dated: March 30, 2005

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 ) WC Docket No. 03-37  
FIBER TECHNOLOGIES NETWORKS, )  
LLC )  
 )  
Motion to Dismiss Petition for Section )  
253 Preemption )

ANSWER TO MOTION FOR EXTENSION OF TIME

To: The Commission:

The Borough of Blawnox, respectfully submits this Answer and Objection to Fiber Technologies Networks, LLC's Motion to Dismiss the Amended Petition for Preemption Pursuant to Section 253 of the Federal Communications Act filed by the Complainant, Fiber Technologies Networks, LLC, and in support thereof states as follows:

1. On January 25, 2005, a copy of the Borough of Blawnox's Motion to Dismiss Petition for Section 253 Preemption was mailed, by regular U.S. Mail with First-Class Postage Prepaid to Charles B. Stockdale, V.P. and Corporate Counsel, as well as Robert T. Witthauer, Deputy Corporate Counsel of Fiber Technologies Networks, LLC. A copy of the Certificate of Service is attached hereto and marked as Exhibit "A".
2. In early March of 2005, The Borough of Blawnox received a call from the Commission staff indicating that for some reason Page No. 2 of Blawnox's Motion was

not part of the Commission's online filing system. As a result, Blawnox filed an Amended Petition by sending said Petition to the Commission under date of March 11, 2005. On the same date, Blawnox served a copy of the Amended Petition by depositing said copy in the U.S. Mail with First-Class Postage Prepaid to Charles B. Stockdale, V.P. and Corporate Counsel, as well as Robert T. Witthauer, Deputy Corporate Counsel of Fiber Technologies Networks, LLC. A copy of said Certificate of Service is attached hereto and marked as Exhibit "B".

3. It is specifically denied that Fiber Technologies Networks, LLC was not notified of Blawnox's original Motion and/or Amended Motion on or about March 24, 2005 for the reasons contained in Paragraphs Nos. 1 and 2.

4. It is specifically denied that Blawnox Borough's Motions have not rendered the Complainant's Petition moot.

5. Blawnox will fax and e-mail copies of their Answer and Objection to counsel for Fiber Technologies Networks, LLC

WHEREFORE, Blawnox respectfully requests that the deadline for filing a response to the Borough's Motion/Amended Motion to Dismiss be denied and that Complainant's Petition be dismissed.

Respectfully submitted,

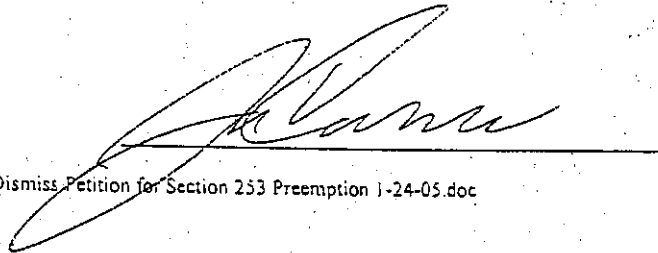
BOROUGH OF BLAWNOX

By /s/ John F. Cambest  
John F. Cambest, Esquire  
PA ID No. 20134  
Dodaro Cambest & Associates, P.C.  
1001 Ardmore Boulevard, Suite 100  
Pittsburgh, PA 15221-5233  
Phone No. (412) 243-1600

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2005, I served a copy of the foregoing on the persons listed below by depositing a copy of same in the U.S. Mail, with first class postage paid to.

Charles B. Stockdale, V.P. & Corporate Counsel  
Robert T. Witthauer, Deputy Corporate Counsel  
Fibertech Networks, LLC  
140 Allens Creek Road  
Rochester, New York 14618



J:\clients\B\blawnox\RightofWay Ordinance\Motion to Dismiss Petition for Section 253 Preemption 1-24-05.doc

EXHIBIT "A"

CERTIFICATE OF SERVICE

I hereby certify that on March 11, 2005, I served a copy of the foregoing on the persons listed below by depositing a copy of same in the U.S. Mail, with first class postage paid to

Charles B. Stockdale, V.P. & Corporate Counsel  
Robert T. Witthauer, Deputy Corporate Counsel  
Fibertech Networks, LLC  
140 Allens Creek Road  
Rochester, New York 14618

John F. Canest

J:\clients\B\blawnox\RightofWay Ordinance\Amended Motion to Dismiss Petition for Section 253 Preemption 1-24-05.doc

EXHIBIT "B:

Solicitor - Borough of Blawnox

CERTIFICATE OF SERVICE

I hereby certify that on this 31<sup>st</sup> day of March 2005, I served a copy of  
the foregoing Answer to Motion for Extension of Time via *facsimile* and *e-mail* to:

Charles B. Stockdale, V.P. & Corporate Counsel  
Robert T. Witthauer, Deputy Corporate Counsel  
Fibertech Technologies Networks, LLC  
140 Aliens Creek Road  
Rochester, New York 14618

1st John F. Canhest